

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD PHILLIP MCKENNA,
Plaintiff,
v.
T. CISNEROS, et al.,
Defendants.

No. 2:22-cv-01294-KJM-CKD P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action. On October 25, 2022, the court dismissed plaintiff's complaint with leave to amend. Following an extension of time, plaintiff's amended complaint was required to be filed on or before February 3, 2023. ECF No. 41. To date, plaintiff has not filed an amended complaint. However, a review of the docket indicates that plaintiff has filed two motions for a temporary restraining order as well as a motion for the appointment of counsel in this time period. ECF Nos. 37, 40, 42.

On February 7, 2023, the court received a notice indicating that plaintiff has been transferred to a different prison. ECF No. 44. In light of this change of address, the court will sua sponte extend the deadline for plaintiff to file an amended complaint. However, plaintiff is advised that the court will take no action on his pending motions until plaintiff files an amended complaint no longer than 25 pages in length in accordance with the court's prior order. See ECF

No. 26. Any failure to comply with the terms of this order will result in a recommendation that this action be dismissed.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff is sua sponte granted an extension of time to file an amended complaint.

Plaintiff is granted 21 days from the date of this order to file a complaint that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local Rules of Practice. The amended complaint shall be no longer than 25 pages in length and must bear the docket number assigned this case.

2. Plaintiff's failure to comply with this order will result in a recommendation that this matter be dismissed.

Dated: February 10, 2023



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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